

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

SOUTHEAST MICHIGAN  
SURGICAL HOSPITAL, LLC.  
and SPINE, PLLC,

Plaintiffs,

Civil Case No. 15-10757  
Honorable Linda V. Parker

v.

ALLSTATE INSURANCE CO.,

Defendant.

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**ORDER REMANDING ACTION TO STATE COURT**

On February 4, 2015, Plaintiffs filed a Complaint against Defendant alleging state law claims, only. Defendant removed Plaintiffs' Complaint to federal court on March 2, 2015, asserting federal subject matter jurisdiction based on diversity of citizenship, 28 U.S.C. § 1332(a). A defendant desiring to remove a case on the basis of diversity jurisdiction has the burden of proving the diversity jurisdiction requirements. *Gafford v. Gen. Elec. Co.*, 997 F.2d 150, 155 (6th Cir. 1993). However, neither the Complaint nor Defendant's notice of removal provides the necessary information to establish diversity jurisdiction.

Therefore, on March 11, 2015, this Court issued an order requiring Defendant to show cause within twenty-one days why this action should not be

remanded for lack of subject matter jurisdiction. (ECF No. 7.) As of this date, Defendant has failed to respond to the Court's show cause order.

Accordingly,

**IT IS ORDERED** that, this action is **REMANDED** to the Circuit Court for Wayne County, Michigan.

s/ Linda V. Parker  
LINDA V. PARKER  
U.S. DISTRICT JUDGE

Dated: April 8, 2015

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, April 8, 2015, by electronic and/or U.S. First Class mail.

s/ Richard Loury  
Case Manager